

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Mashe Dayan Aitch, #95487-071,)	
)	
Plaintiff,)	C.A. No. 9:08-2242-HMH-GCK
)	
vs.)	OPINION & ORDER
)	
Denise Lechele Maybin; Anetra)	
LaShun Smith; and Tuwana Williams,)	
)	
Defendants.)	

This matter is before the court with the Report and Recommendation of United States Magistrate Judge George C. Kosko, made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 of the District of South Carolina.¹ Moshe (incorrectly designated “Mashe”) Dayan Aitch (“Aitch”), a federal prisoner proceeding pro se, filed a civil rights action under 42 U.S.C. § 1983 against three of his co-defendants in the criminal action styled United States v. Moshe Dayan Aitch et al., Crim. No. 7:08-211-HMH. In his Report, Magistrate Judge Kosko recommends that Aitch’s action be dismissed without prejudice and without issuance of service of process upon the Defendants.

Aitch filed objections to the Report and Recommendation. Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a

¹The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1) (2006).

party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and Recommendation of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that Aitch's objections are non-specific, unrelated to the dispositive portions of the Magistrate Judge's Report and Recommendation, or merely restate his claims. Therefore, after a thorough review of the Magistrate Judge's Report and the record in this case, the court adopts Magistrate Judge Kosko's Report and Recommendation.

It is therefore

ORDERED that the Complaint in this action be dismissed, without prejudice, and that the Clerk of Court refrain from issuing service of process upon the Defendants named therein.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
July 29, 2008

NOTICE OF RIGHT TO APPEAL

The Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.